

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
STANISLAV LEVIN,

Plaintiff,

-against-

CREDIT SUISSE INC., METROPOLITAN LIFE  
INSURANCE COMPANY, and AON HEWITT, INC.

Defendants.  
-----X

Civ. Act. No.: 11 CV 5252 (RJS)

**NOTICE OF MOTION**

DOCUMENT  
ELECTRONICALLY FILED

**PLEASE TAKE NOTICE** that, upon the Declaration of Cindy Broadwater dated March 9, 2012 and the exhibits annexed thereto, the Declaration of Michael H. Bernstein dated March 9, 2012 and the exhibits annexed thereto, and the accompanying Memorandum of Law, Defendant Metropolitan Life Insurance Company (“MetLife”) by its attorneys, Sedgwick LLP, will move this Court at a time and date designated by the Court, before the Hon. Richard J. Sullivan, U.S.D.J., at the United States Courthouse, Southern District of New York, located at 500 Pearl Street, Courtroom 21C, New York, New York 10007, for an Order pursuant to FED. R. CIV. P. 12(b)(6) dismissing plaintiff’s Second Amended Complaint in its entirety on the grounds that it fails to state a cause of action for which relief can be granted and for such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that Judge Sullivan will hear oral argument on MetLife’s Motion to Dismiss on a date and time to be designated by the Court.

Dated: New York, New York  
March 9, 2012

Respectfully submitted,

s/

MICHAEL H. BERNSTEIN (MB-0579)

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**CERTIFICATE OF SERVICE**

I, Matthew P. Mazzola, hereby certify and affirm that a true and correct copy of the attached **Notice of Motion** and a copy of the referenced documents in the statement was served **via ECF and Regular Mail** on March 9, 2012, upon the following:

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s/  
\_\_\_\_\_  
MATTHEW P. MAZZOLA (MM-7427)